

SENATE BILL No. 390

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-38-2-2.8.

Synopsis: GPS and domestic violence. Provides that a sentencing court shall require a person: (1) convicted of a crime of domestic violence; and (2) placed on probation or parole; to wear a GPS tracking device for at least the first six months of the person's probation or parole. Specifies that a person required to wear a GPS tracking device shall pay the costs associated with the GPS tracking device. Grants a court the discretion to not require GPS tracking as a condition of probation or parole if: (1) due to indigency, the probationer or parolee is unable to pay the costs of GPS tracking; and (2) funding for GPS tracking is not otherwise available.

Effective: July 1, 2014.

Young R

January 14, 2014, read first time and referred to Committee on Judiciary.



Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

SENATE BILL No. 390

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 35-38-2-2.8 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2014]: **Sec. 2.8. (a) Except as provided in subsection (c), if:**
4 **(1) a person is convicted of a crime involving domestic or**
5 **family violence; and**
6 **(2) the person is placed on probation or parole;**
7 **the sentencing court shall require the person to wear a GPS**
8 **tracking device as a condition of probation or parole. The court**
9 **shall require the person to wear the GPS tracking device for at**
10 **least the first six (6) months of the person's probation or parole.**
11 **(b) If a court requires a person to wear a GPS tracking device**
12 **as a condition of probation or parole, the court shall require the**
13 **person to pay any costs associated with the GPS tracking device.**
14 **(c) A court is not required to require a person described in**
15 **subsection (a) to wear a GPS tracking device if:**
16 **(1) the person is unable to pay the costs associated with the**



- 1 **GPS tracking device due to indigency; and**
- 2 **(2) funding for GPS tracking is not otherwise available.**

